

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

1:19MJ2107

AFFIDAVIT

I, Ryan D. Anschutz, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. As will be shown below, there is probable cause to believe that Christian K. Smith has received, possessed, and/or distributed child pornography, in violation of Title 18, United States Code, Section 2252A(a)(5)(b).

2. I graduated from Wright State University with a Bachelor of Arts in Criminal Justice in 2006 and I have been a sworn law enforcement officer since October of 2006. I have been assigned to the Special Investigations Unit of the Mansfield Division of Police since April of 2016, and am currently assigned to the FBI Child Exploitation Task Force. In May 2016, I was sworn in as a Special Deputy U.S. Marshal assigned to the Federal Bureau of Investigation ("FBI"). While employed by the Mansfield Division of Police and assigned to the FBI, I have assisted in the investigation of federal criminal violations related to Violent Crimes and the FBI's Innocent Images National Initiative, which investigates matters involving the online sexual exploitation of children. I have gained experience through training at the FBI's Innocent Images National Initiative training center and everyday work related to conducting these types of investigations. I am also a member of the Ohio Internet Crimes Against Children ("Ohio ICAC") Task Force and investigate crimes involving images depicting child pornography and child exploitation. I have also received training in the investigation of various other criminal offenses. I have also received training through the Ohio ICAC Task Force in undercover communications ("CHAT") with adult offenders seeking sexual contact with juveniles and

perpetrators seeking to trade and distribute images of child pornography. During my career as a Detective as well as a Task Force officer in the FBI Child Exploitation Task Force, I have received training in the forensic interviewing of children. I have also investigated numerous violations through the course of my duties as a Mansfield Division of Police Detective and I have seized evidence and arrested persons for violations of Ohio and Federal law, resulting in arrests and convictions.

3. In my capacity as a Federal Task Force Officer, having received a Special Deputization from the United States Marshal's Office, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States under Rule 41(a)(2)(C) of the Federal Rules of Criminal Procedure. Your Affiant is engaged in the enforcement of criminal laws and is within a category of officers authorized by the Attorney General to request and execute search warrants pursuant to Title 18, United States Code, Sections 3052 and 3107; and DOJ regulations set forth at Title 28, C.F.R, Sections 0.85 and 60.2(a).

4. The statements contained in this affidavit are based in part on: information provided by FBI Special Agents and Task Force Officers; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent investigation and analysis by FBI agents/analysts and computer forensic professionals; and my experience, training and background as a Task Force Officer ("TFO") with the FBI. Since this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I

believe are necessary to establish probable cause to believe that CHRISTIAN KNUD SMITH committed violations of Title 18, United States Code, Section 2252A(a)(5)(B).

STATUTORY AUTHORITY

5. As noted above, this investigation concerns alleged violations of the following:
 - a. Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2) prohibits a person from knowingly possessing or knowingly accessing with intent to view, or attempting or conspiring to do so, any material that contains an image of child pornography, as defined in 18 U.S.C. § 2256(8), that has been mailed, or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that have been mailed or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

PROBABLE CAUSE

6. On July 10, 2018, at 8:13 p.m. Eastern Time, Complainant #1, of Angola, IN, called the FBI Public Access Line to report the solicitation of child pornography by MeetMe user, "Tom Anderson," ("ANDERSON"), who portrayed himself as living in Mansfield, OH.

7. It was discovered that Complainant #1 was using the dating app MeetMe, and was first messaged by ANDERSON on July 10, 2018, at approximately 4:50 p.m. Eastern Time. Complainant #1 and ANDERSON briefly discussed their personal lives before ANDERSON offered Complainant #1 \$2,800 a month for nude photographs of Complainant #1's seven year old daughter. ANDERSON stated he would pay \$3,200 a month if Complainant #1's daughter was 'cute.' Complainant #1 contacted the local police department to make a report, and asked

ANDERSON where she would send pictures; ANDERSON said they would trade pictures via Kik, but did not provide a Kik username. ANDERSON requested nude photographs before they discussed payment, and told Complainant #1 that if she was too nervous he would just find someone else to do it. ANDERSON's profile states he is male, 27 years old, and lives in Mansfield, OH. ANDERSON's profile is white, approximately 165-180 pounds, 6'2", with a Bachelor's degree, and the pictures show him with sandy blonde hair, black frame glasses, an eye ring, and a tattoo sleeve on his right arm. In one of his photographs, ANDERSON is wearing what appears to be a bulletproof vest and a cross, and in another he has a white phone with a possible Verizon check mark on the back of it. Complainant #1 has screenshots of ANDERSON'S profile.

8. On August 17, 2018, an administrative subpoena was issued to Verizon Wireless, for the following IP address:

IP ADDRESS: 174.255.151.25, on July 10, 2018, between 0207-2311 hrs.

9. Based on the results provided by Verizon Wireless, the following information was associated with the aforementioned IP address used by "Tom Anderson" to request child pornography from Complainant #1:

PHONE NUMBER: 419-632-1395 (hereafter "TARGET TELEPHONE")

10. During the course of the investigation, at least forty-one (41) National Center for Missing and Exploited Children ("NCMEC") CyberTips were discovered that appear to relate to the same subject. Several of the CyberTips involved the Electronic Service provider, MeetMe, Inc., and the user names: "Tom Anders", "Tom Andy", or "Tom Anderson." In each of the cases, the User was soliciting minors and/or adults for sex acts involving minors and/or sexually explicit photographs of minors in exchange for money.

11. During the review of the 41 NCMEC CyberTips, investigators recorded approximately thirty-two (32) unique G-mail addresses that appear to relate to the same “Tom Anderson” suspect.

12. On February 4, 2019, an administrative subpoena was issued to Google LLC, for the 32 G-mail addresses listed in the aforementioned NCMEC CyberTips, to obtain the subscriber information and IP addresses for the accounts involved.

13. Based on the results provided by Google LLC, it was learned that multiple IP addresses were assigned to the mobile data service provider, Verizon Wireless.

14. On February 20, 2019, an administrative subpoena was served upon Verizon Wireless, for the subscriber information related to the IP addresses utilized by the Google Subscribers for the specified dates and times.

15. During the course of the investigation it was determined that the TARGET TELEPHONE was one of a multitude of mobile devices assigned the same IP address during the dates and times in question. However, the TARGET TELEPHONE appears to be the only common number on each of the dates examined.

16. An open source search revealed that the TARGET TELEPHONE was assigned to the cell phone service provider Verizon Wireless during that time frame. It was later discovered that the TARGET TELEPHONE was ported to the T-Mobile network serviced by Trac-Fone.

17. On February 26, 2019, an Administrative Subpoena was served to cell phone service provider, Trac-Fone Wireless, Inc., d/b/a Simple Mobile for the dates in question in 2018 for the TARGET TELEPHONE.

18. Based on the results provided by Trac-Fone Wireless, Inc., the following

information was associated with the TARGET TELEPHONE:

Subscriber Information: 419-632-1395
Account ID: forgottensoul34@gmail.com
Activation Date: 04/30/2018
Deactivation Date: 07/28/2018¹
Serial Number: 355744093137945
Hex Serial Number: 35574409313794
SIM: 89148000004042415268
Customer ID: 1306626347
First Name: 355744093137945
Last Name: 355744093137945
Date of Birth: 10/14/1970
Address: 1295807902
City: Mansfield
State: Ohio
ZIP: 44906

19. On April 19, 2019, a search warrant for the TARGET TELEPHONE was sent to T-Mobile for a Pen Register with Prospective Cellular Location Data.

20. Reviewing the GPS location data for the TARGET TELEPHONE from the time of the issuance of the Pen Register and the Prospective Cellular Location Data through April 26, 2019, it appears the phone is consistently at or around the 827 Delph Avenue, Mansfield, Ohio, address.

21. The GPS location data shows the TARGET TELEPHONE with a consistent confidence range between 3 meters of certainty to 16 meters of certainty. Most of the GPS location data places the TARGET TELEPHONE with the latitude and longitude precisely on the structure of 827 Delph Avenue, Mansfield, Ohio 44906.

22. I searched various records indices for information regarding 827 Delph Avenue, Mansfield, Ohio 44906.

¹ (*The date this number was ported to TMobile's network.)

- a. Richland County Auditor's Office reports the property to be owned by CHRISTIAN KNUD SMITH ("SMITH").
- b. Ohio Bureau of Motor Vehicle records reports accessed through the Ohio Law Enforcement Gateway ("OHLEG") database, which can be accessed and searched by affiant, for SMITH, shows a valid Ohio driver's license with an active address of 827 Delph Avenue, Mansfield, Ohio 44906.
- c. Ohio Attorney General's Office Electronic Sexual Offender database lists SMITH as an active Tier II Sexual Offender with registration # 101186. Conviction date of August 21, 2009 in violation of 2907.04A – Corruption of a minor (attempted) Sexual Motivation.
- d. Ohio Bureau of Motor Vehicle records and the sexual offender registration records show a vehicle belonging to SMITH with the expired Ohio registration

23. On May 2, 2019, a federal search warrant signed by the Honorable United States Magistrate Judge Thomas M. Parker, was executed at 827 Delph Avenue, Mansfield, Ohio 44906. During the search warrant several cellular devices, computer, and electronic storage devices were seized. In particular, an Alcatel smartphone was located and verified to be the TARGET TELEPHONE. A Samsung smartphone was also located turned off in the cushions of the couch.

24. The Alcatel TARGET TELEPHONE was located turned off in the couch cushions next to the front door. Moments before entry was made into 827 Delph Avenue, Mansfield, Ohio 44906, the TARGET TELEPHONE was in an "on" status based upon the prospective GPS data.

25. The Alcatel TARGET TELEPHONE was turned on by this investigator at which time during a preview of the phone, it was actively receiving messages from the Kik application. In a preview of the photo gallery, images of child pornography were observed by this investigator and that file is described below:

- a. Description: The color image is of a prepubescent female engaging in oral to genital intercourse with an adult male erect penis. The prepubescent female is observed to be fully nude except with purple restraints around her wrist and ankle. The image is dated "March 25" in the image gallery.
- b. Description: The color image is of a prepubescent female laying on a bed completely nude. The prepubescent female appears to be sleeping with her eyes closed and her legs are spread open exposing her genitalia for the camera.

26. In the photo gallery of the device dated "February 13", photos of a white male were observed that are consistent with the photos used in "Tom Anderson", "Tom Anders" profiles on various social media accounts like MeetMe, Facebook, and Kik.

27. I further request that the Court order that all papers in support of this application, including the Affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation, including by giving targets an opportunity to destroy or tamper with evidence, change patterns of behavior, notify confederates, and flee from prosecution.

CONCLUSION

28. Based on the aforementioned factual information, your affiant respectfully submits that there is probable cause to believe that CHRISTIAN KNUD SMITH did possess child pornography and has violated Title 18, United State Code, Section 2252A(a)(5)(B).

Respectfully submitted,


TFO

TFO Ryan D. Anschutz, FBI

Sworn to this 2nd day of May, 2019, via telephone
after submission by reliable electronic means.
Fed. R. Crim. P. 4.1 and 41(d)(3).



Honorable David A. Ruiz
United States Magistrate Judge

